

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MARIO J. RIOJAS,

Defendant-Appellant.

UNPUBLISHED

January 6, 1998

No. 196745

Oakland Circuit Court

LC No. 95-142635 FH

Before: MacKenzie, P.J., and Hood and Hoekstra, JJ.

MEMORANDUM.

Defendant was convicted by a jury of possession with intent to deliver marijuana, MCL 333.7401(1) and (2)(d)(iii); MSA 14.15(7401)(1) and (2)(d)(iii), and was sentenced to an enhanced term of imprisonment of two to fifteen years, reflecting his status as a fourth offender, MCL 769.12; MSA 28.1084. Defendant appeals as of right. We affirm.

The trial court did not abuse its discretion in sentencing defendant to two to fifteen years' imprisonment where defendant had seven prior armed robbery convictions, one prior assault with intent to rob while armed conviction, and one prior felony-firearm conviction. Additionally, defendant was on parole at the time of the commission of the instant offense. *People v Hansford (After Remand)*, 454 Mich 320, 325-326; 562 NW2d 460 (1997); *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990).

Affirmed.

/s/ Barbara B. MacKenzie

/s/ Harold Hood

/s/ Joel P. Hoekstra